

**TOWN OF LOS GATOS  
CALIFORNIA  
TOWN COUNCIL/PARKING AUTHORITY  
JOINT REDEVELOPMENT AGENCY  
NOVEMBER 1, 2004/MINUTES  
Los Gatos Civic Center  
110 E. Main Street  
Los Gatos, CA 95030**

TIME	ITEM	ACTION ON ITEM
7:00 PM	<b>TOWN COUNCIL</b>	The Town Council/Parking Authority/Redevelopment Agency of the Town of Los Gatos met in the Council Chambers of the Town of Hall, 110 East Main Street, at 7:00 PM, November 1, 2004, <b>in a joint regular session.</b>
7:01 PM	<b>INTERVIEWS</b>	Boards, Commissions, and Committees.
7:09 PM	<b>ROLL CALL</b>	Present: Sandy Decker, Diane McNutt, Joe Pirzynski, Mike Wasserman, and Mayor/Chairman Glickman.  Absent: None
7:10 PM	<b>PLEDGE OF ALLEGIANCE</b>	The audience was invited to participate in the Pledge of Allegiance.
7:11 PM	<b>CLOSED SESSION</b>	Town Attorney, Orry Korb, reported that the Council had met in Closed Session prior to this evening's meeting pursuant to the following: <ul style="list-style-type: none"> <li>• Government Code Section 54957.6 concerning Labor Negotiations between Town Negotiator and Confidential Employees.</li> <li>• Pursuant to Government Code Section 54957 regarding Public Employee Performance Evaluation for the Town Attorney.</li> </ul> <b>NO ACTION TAKEN.</b>
7:12 PM	<b>PRESENTATIONS</b>	<u><b>Community/Business Recognition</b></u> <ul style="list-style-type: none"> <li>• Los Gatos/Monte Sereno Police Pipes and Drums.</li> <li>• 129<sup>th</sup> Rescue Wing of the California Air National Guard "Team Hawk" and Officer Sam Wonnell.</li> </ul>

7:17 PM	<b>BOARDS, COMMISSIONS &amp; COMMITTEES APPOINTMENTS</b>	<p><b><u>Interviews for Boards and Commissions:</u></b></p> <p>The follow were appointed:</p> <ul style="list-style-type: none"><li>• <b>Community Services</b> Toni Blackstock Lisa Swenson</li><li>• <b>General Plan</b> Jane Ogle</li><li>• <b>Parks Commission</b> Karl Lawson-Henze Gary Schloh Todd Von Kaenel</li><li>• <b>Personnel Board</b> Mary Raz</li><li>• <b>Planning Commission</b> D. Michael Kane</li><li>• <b>Rent Advisory</b> William Errico Erin Green</li><li>• <b>Transportation and Parking</b> Kurt Lemons Edward Stahl</li></ul>
7:24 PM	<b>COUNCIL COMMENTS</b>	<p><b>Mayor Glickman</b> advised the Town Clerk to readvertise for the one open position on the General Plan Committee.</p>
7:26 PM	<b>CONSENT ITEMS #1-11</b>	<p><b><u>TOWN COUNCIL</u></b></p> <ol style="list-style-type: none"><li>1. Accept Schedule of Public Hearings. (1-V)</li><li>2. Ratify payroll for the period of September 26 - October 9, 2004 paid on October 15, 2004. (2-V)</li><li>3. Ratify accounts payable for October 2004. (3-V)</li><li>4. <u>Appoint Student Commissioners (4-12)</u><ul style="list-style-type: none"><li>• Accept Parks Commission recommendation to appoint Sam Richards and Megan Riley as Student Parks Commissioners.</li><li>• Accept Community Services Commission recommendation to appoint Kimberly Smith and Leila Vaez-Iravani as Student Community Services Commissioners.</li></ul></li></ol>

	<p><b>CONSENT ITEMS</b> <b>#1-11 continued</b></p>	<p>5. Acceptance of Grant from the Valley Foundation in the amount of \$50,000 for funding of "Hooked on Los Gatos: the Los Gatos Public Library/Museums of Los Gatos History Project". (5-32)</p> <p>6. Adopt resolution approving application for California Cultural and Historical Endowment (CCHE) Grant Funds under the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002, to benefit the Los Gatos History Project. <b>RESOLUTION 2004-128</b> (6-32)</p> <p>7. Adopt resolution making determinations and approving the reorganization of territory designated "Oka Road No. 9", approximately 6.68 acres located at 14800 Oka Road (APN's: 424-08-057, 058, 059 and 060). <b>RESOLUTION 2004-129</b> (7-26)</p> <p>8. Project No. 04-17 - Award of Construction Contract for 2004-05 Curb, Gutter, and Sidewalk Repair and Replacement (8-24)</p> <p>a. Adopt resolution declaring CB Construction Company to be the lowest responsible bidder on the project and awarding a construction contract in the amount of \$46,875.00. <b>RESOLUTION 2004-130</b></p> <p>b. Authorize staff to issue change orders to the construction contract up to an amount of \$5,000.</p> <p>9. Adopt resolution authorizing the Town Manager to execute a lease agreement with Los Gatos-Saratoga Community Education and Recreation. <b>RESOLUTION 2004-131</b> (9-39)</p> <p><b><u>REDEVELOPMENT</u></b></p> <p>10. Ratify accounts payable for October 2004. (10-V)</p> <p><b><u>TOWN COUNCIL/REDEVELOPMENT</u></b> (11-V)</p> <p>11. Approve Council/Agency minutes of :</p> <p>a. October 18, 2004</p> <p>b. October 25, 2004</p> <p><b>Motion by Mr. Pirzynski</b> to approve consent calendar. <b>Seconded by Mr. Wasserman.</b> <b>Carried unanimously.</b></p>
7:27 PM	<p><b>VERBAL</b> <b>COMMUNICATION</b></p>	<p><b>Ray Davis</b> commented on dignity and respect during public meetings, and on the Roberts Road Bridge.</p>
7:31 PM	<p><b>CLOSED VERBAL</b> <b>COMMUNICATION</b></p>	

7:32 pm	OTHER BUSINESS ITEMS #12 & #13  HIGHWAY 9 BICYCLE/PEDEST RIAN SAFETY IMPROVEMENT PROJECT	<u>ITEM #12</u>  • HIGHWAY 9 BICYCLE/PEDESTRIAN SAFETY IMPROVEMENT PROJECT  Staff report made by <b>John Curtis</b> . <b>Mr. Curtis</b> is seeking direction regarding bicycle lanes on highway 9 and sidewalks from the Monte Sereno city limits to Highway 17.
7:34 PM	PUBLIC COMMENT	<b>Ray Davis</b> spoke on the need for safety relating to the problem, and on a vision for the future of Highway 9.
7:37 PM		<b>Chris Miller</b> commented favorably on the feasibility study and improvements to Massol Avenue and Highway 9.
7:38 PM		<b>Joanne Peth</b> commented on the Massol Avenue improvements and encouraged Council to accept the report. She also commented on cleaning Highway 9, and added that there is pavement under all the old debris. Ms. Peth requested Council to ask Cal Trans to do a major cleanup. She also spoke on the need for trail connections between Los Gatos Creek Bridge and Highway 9.
	CLOSED PUBLIC COMMENT	
7:46 PM	ITEM #12 COUNCIL COMMENTS	Motion by <b>Mrs. McNutt</b> to approve highway 9 bicycle/pedestrian safety improvement project. Seconded by <b>Mrs. Decker</b> .
7:48 PM	COUNCIL DISCUSSION	• Recommended going forth with the improvements at the earliest opportunity.
7:51 PM	MAYOR CALLED THE QUESTION	Carried unanimously.
7:52 PM	ITEM #13  APPLICATION FOR GRANT FUNDS	<u>ITEM #13</u>  • APPLICATION FOR GRANT FUNDS/STATE URBAN PARKS AND HEALTHY COMMUNITIES PROGRAM/CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002 FOR SKATEBOARD PARK. RESOLUTION 2004-132 (13-33)  Staff report made by <b>Pamela Jacobs</b> .

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7:54 PM	<b>ITEM # 13 Continued OPEN PUBLIC COMMENTS</b>	<b>Ray Davis</b> commented on Proposition 40 regarding funding for the skateboard park and on future funding possibilities for soccer fields.
7:59 PM		<b>Joanne Peth</b> spoke on grant writing and thanked staff and parents for their help and support.
	<b>CLOSED PUBLIC COMMENTS</b>	
	<b>COUNCIL COMMENTS</b>	<b>Motion by Mr. Pirzynski</b> to approve application for grant funds. Seconded by <b>Mrs. McNutt</b> .
8:02 PM	<b>MAYOR CALLED THE QUESTION</b>	Carried unanimously.
8:03 PM	<b>ITEM #14  REDEVELOPMENT AGENCY FIVE YEAR IMPLEMENTATION PLAN</b>	<p><b>ITEM #14</b></p> <ul style="list-style-type: none"> <li>• <b>REDEVELOPMENT AGENCY FIVE YEAR IMPLEMENTATION PLAN/AFFORDABLE HOUSING PRODUCTION PLAN/CENTRAL LOS GATOS REDEVELOPMENT /JULY 1, 2004 TO JUNE 30, 2009.</b></li> </ul> <p><b>Orry Korb</b> Stated that four Council members live within 500 yards of the Redevelopment area and therefore the "rule of necessity" would apply.</p> <p><b>Mr. Glickman and Mrs. Decker</b> drew 1 &amp; 2, and qualify to participate in the discussion.</p> <p><b>Mr. Wasserman and Mrs. McNutt</b> were recused.</p> <ul style="list-style-type: none"> <li>• <b>Mr. Glickman</b> asked for consensus on whether to proceed tonight or to continue the item to another date.</li> <li>• <b>Mr. Pirzynski</b> commented that he felt confident to proceed, but thought it wise to continue the matter.</li> <li>• <b>Mrs. Decker</b> asked if it could be agendaized for the November 15, 2004 Town Council Meeting.</li> <li>• <b>Mr. Glickman</b> also agreed, to continue the matter, but requested staff to comment on the report.</li> </ul> <p>Staff report made by <b>Bud Lortz</b>.</p> <p><b>Mr. Lortz</b> commented that this document is a living document and staff, as well as Council, have complete flexibility to make changes.</p>

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8:19 PM	<b>ITEM # 14 Continued  COUNCIL COMMENTS</b>	<ul style="list-style-type: none"> <li>• Time frame for conclusion</li> <li>• Would like to do more thorough research on the text of plan.</li> <li>• Redevelopment Agency pertaining to State requirements.</li> <li>• Commented regarding Redevelopment Agency sunsetting</li> </ul>
8:25 PM	<b>OPEN PUBLIC COMMENT</b>	No one in the audience spoke to this matter.
	<b>CLOSED PUBLIC COMMENT</b>	
8:26 PM	<b>ITEM #14  COUNCIL DISCUSSION</b>	<ul style="list-style-type: none"> <li>• Housing and low income benefits and addressing the needs for people young families and local graduates.</li> <li>• Commented on Section E meeting the needs of the Community.</li> <li>• Requested clarification regarding the 20% mandate and expenditures.</li> <li>• Requested clarification regarding the restrictions on use of funds for civic structures.</li> <li>• Requested clarification regarding the balance of ownership, verses rental housing for the redevelopment area.</li> <li>• Requested that information be put on the Town's website, under "what's new" for public awareness regarding the Redevelopment Implementation Plan.</li> </ul>
8:44 PM	<b>MAYOR ASKED FOR CONSENSUS</b>	CONSENSUS on item #14 to continue for action on November 15, 2004.
8:49 PM	<b>ITEM #15  14300 WINCHESTER BOULEVARD - COMMUNITY BENEFITS</b>	<p><b><u>ITEM #15</u></b></p> <ul style="list-style-type: none"> <li>• <b>14300 WINCHESTER BOULEVARD (APN 424-32-068) FILE PD-04-1 -- PROPERTY OWNER/APPLICANT: SOBRATO DEVELOPMENT COMPANIES.</b> <ol style="list-style-type: none"> <li>a. Review the draft Community Benefit Agreement for the Sobrato Development project and provide direction to staff regarding any desired changes.</li> <li>b. Adopt resolution authorizing the Town Manager to execute Final Community Benefit Agreement for the Los Gatos Gateway Planned Development. <b>RESOLUTION2004-134 (15-41)</b></li> </ol> </li> </ul> <p>Staff report made by <b>Bud Lortz</b></p>

8:54 PM	<b>ITEM #15 COUNCIL COMMENTS</b>	<ul style="list-style-type: none"> <li>• Discussion regarding the relationship of the daily express shuttle to the proposed VTA community bus program.</li> <li>• Questioned the daily express shuttle extending from the development to the Campbell light rail, as stated in the May 3, 2004 Ordinance.</li> <li>• Felt that Sobrato Properties would be just a "stop along the road".</li> <li>• Discussed the fees that the Sobrato Project has committed to for the shuttle.</li> <li>• Questioned the estimated amount to complete the community bus project.</li> <li>• Commented on assuming numbers without specifically knowing where those numbers have come from.</li> <li>• January 2006 is the estimated date for the VTA proposed project.</li> <li>• High motivation of VTA to provide this service.</li> <li>• Possibility of an express shuttle.</li> <li>• Wait for final community bus schedules before asking for express shuttle.</li> </ul>
9:22 PM	<b>OPEN PUBLIC COMMENT</b>	<b>Ray Davis</b> spoke on Park dedication fees regarding the Sobrato Project.
	<b>CLOSED PUBLIC COMMENT</b>	
9:26 PM		<b>Motion by Mrs. McNutt</b> to authorize Town Manager to execute the final community benefit agreement for Los Gatos planned gateway development. The agreement is to include staff recommendation relating to flexibility in reallocating up to \$150,000 to sports fields, and also incorporating Mr. Lortz's suggestion that prior to final occupancy staff would bring back a transit related plan which Council would approve. Seconded by <b>Mr. Wasserman</b> .
9:27 PM	<b>ITEM #15 COUNCIL DISCUSSION</b>	<ul style="list-style-type: none"> <li>• Requested a more specific agreement regarding the shuttle operation when this issue comes back to Council.</li> <li>• Asked for support in giving direction, regarding a non stop shuttle from point A to point B.</li> <li>• Commented on the Community Bus as a long term goal, but would like the express shuttle as a Community Benefit as promised.</li> <li>• Commented on flexibility, and would like to see the motion provide flexibility at this point. The main objective is to get people from point A to point B.</li> <li>• Direction to staff to have the most direct route.</li> <li>• Asked staff to look into integrating the Community Bus system and the Sobrato project.</li> </ul>

	<b>ITEM #15 COUNCIL DISCUSSION continued</b>	<ul style="list-style-type: none"> <li>Commented on the amended text regarding the preferred method for operating the bus system.</li> <li>Commented that the value of this community benefit should be comparable in value to what was offered when the project was approved.</li> </ul>
9:43 PM		<p><b>Staff</b> suggested wording for the amendment: Town desires the owner to assist with the light rail coming to Los Gatos. Council recognizes the evolving circumstances regarding the VTA bus program. Council grants staff to authorize all required permits for the project. Occupancy of the project shall remain withheld until Council and Sobrato can agree on the shuttle details. In addition, staff will bring back the possibility of transferring community benefit funding to sports fields as set forth in the agreement.</p>
	<b>COUNCIL DISCUSSION</b>	<ul style="list-style-type: none"> <li>Granting easements and the associated costs.</li> <li>Asked the maker of the motion to leave the 2nd sentence regarding the shuttle, as it is stated in the staff report, for the amendment.</li> </ul>
9:50 PM	<b>MAYOR CALLED THE QUESTION</b>	4/1 Mrs. Decker voting no.
9:51 PM	<b>ITEM #16  PROJECT 04-38 DOWNTOWN WAY FINDING SIGN PROJECT</b>	<p><b>ITEM #16</b> (16-24)</p> <ul style="list-style-type: none"> <li><b>PROJECT 04-38 - DOWNTOWN WAY FINDING SIGN PROJECT</b> <ul style="list-style-type: none"> <li>Review and discuss staff proposal on the Way-Finding Program for the downtown.</li> <li>Provide direction on the color scheme for downtown way-finding project and/or other elements of the Way-Finding Program.</li> </ul> </li> <li>Adopt resolution approving plans and specifications and authorizing staff to advertise the project for bids. <b>RESOLUTION 2004-133</b></li> </ul> <p>Staff report made by <b>Kevin Rohani</b>.</p>



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10:01 PM	<b>ITEM # 16</b>  <b>COUNCIL COMMENTS</b>	<ul style="list-style-type: none"> <li>• Words should be centered.</li> <li>• Directional signs should be listed in order of appearance of each destination.</li> <li>• Colors might blend in with the trees and hillsides, and maybe should stand out a bit more.</li> <li>• Stay with the standard colors the Town has available without accruing an additional cost.</li> <li>• Discussed colors and suggested that the brown would work very well since the material is fade resistant.</li> <li>• Colors should be consistent with the character of the Town.</li> </ul>
10:17 PM		<b>Motion by Mrs. McNutt</b> to approve the downtown way finding sign project. Seconded by <b>Mr. Pirzynski</b> .
10:19 PM	<b>OPEN PUBLIC COMMENT</b>	No one in the audience spoke to this matter.
	<b>CLOSED PUBLIC COMMENT</b>	
10:21 PM	<b>MAYOR CALLED THE QUESTION</b>	Carried unanimously.
10:22 PM	<b>ITEM #17</b>  <b>ADOPT RESOLUTION ESTABLISHING THE DUTIES OF THE ELECTED TOWN CLERK.</b>	<b>ITEM #17</b> <ul style="list-style-type: none"> <li>• <b>ADOPT RESOLUTION ESTABLISHING THE DUTIES OF THE ELECTED TOWN CLERK. (17-29)</b> <b>RESOLUTION 2004-135</b></li> </ul> Staff report made by <b>Debra Figone</b> .
10:25 PM	<b>OPEN PUBLIC COMMENTS</b>	No one in the audience spoke to this matter.
	<b>CLOSED PUBLIC COMMENTS</b>	
10:26 PM	<b>COUNCIL COMMENTS</b>	<b>Motion by Mrs. McNutt</b> to adopt the duties of the elected Town Clerk. Seconded by <b>Mrs. Decker</b> .

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10:27 PM	<b>MAYOR CALLED THE QUESTION</b>	Carried unanimously.
10:28 PM	<b>COUNCIL MATTERS</b>	<ul style="list-style-type: none"><li>• <b>Mrs. McNutt</b> spoke on the Council Chambers at the City of Cupertino.</li><li>• <b>Mr. Glickman</b> asked for interest in discussing the issue of televising the Planning Commission meetings. <b>Council members agreed to have the issue agendaized for Council discussion.</b></li><li>• Council thanked all involved with the Tait Avenue Halloween festivities.</li><li>• <b>Mrs. Decker</b> asked for support for the High School Theatre and invited all to the Toll House for the event next Sunday night.</li></ul>
10:32 PM	<b>MEETING ADJOURNED</b>	

Submitted by:

Attest:

Jackie D. Rose, Deputy Clerk

MarLyn J. Ramussen, Senior Deputy Clerk